

Customer No. 21874

Attorney Docket No. 4634256683

TECH CENTER 1600/2300

MAY 14 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): M. Nanba et al.

U.S.S.N.: 10/009,158

GROUP ART UNIT: Not Yet Known

FILED: October 25, 2001

EXAMINER: Not Yet Known

FOR: HUMAN CELL LINE SHOWING STABLE EXPRESSION OF CYTOCHROMES P450

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Box PCT (DO/EO/US), Washington, D.C. 20231 on April 30, 2002.

By:

Deborah Barfield
Deborah Barfield

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Dear Sir:

Applicant recently received a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed on March 1, 2002. The Notice stated that the Applicant must furnish the following:

- a. The oath or declaration of the inventors identifying the application by international application number and international filing date; and
- b. A \$130 surcharge as a late fee.

1. This application was originally filed as a PCT application PCT/JP00/02763 with an international filing date of April 27, 2000.
2. The United States national phase application (now U.S.S.N. 10/009,158) was filed on October 25, 2001. Included in the filing was a return postcard, which was returned to our offices on December 26, 2001. A copy of the returned postcard with the USPTO-stamped date and serial number is attached.
3. In addition to the return postcard above, the October 25, 2001, filing included the following items:
 - a. Transmittal letter to the U.S. Receiving Office (1 p);
 - b. Transmittal letter to the U.S. Designated/Elected Office (2 pp);
 - c. Copy of International Application (WO00/65031);
 - d. English Translation of Specification (52 pp), in addition to:
 - i. Claims (4 pp);
 - ii. Abstract (1 p);
 - iii. Figures 1-7 (7 sheets) and Chart of Enzyme Activity (1 sheet);
 - e. Forms PCT/RO/101; /IB/304; /IPEA/408; /IB/332; /RO/105; /IPEA/401; /IS/220; /IB/308; /IB/301; /IPEA/402; PCT/ISA/210; PCT/IPEA/416; and /IPEA/409;
 - f. English Translation of Priority Document (47 pp), in addition to:
 - i. Figures (4 sheets); and
 - ii. Abstract (1 sheet).
 - g. Declaration and Power of Attorney (executed) (4 pp);**
 - h. Assignment (executed) (3 pp) and Recordation Form PTO-1595 Cover Sheet (1 page);

- i. Information Disclosure Statement (4 pages); PTO-1449 (1 sheet); and Prior Art (7 items);
- j. Check for \$1,014.00 filing fee and recordation; and
- k. Certificate of Express Mail Label EL 789783606 US.

4. A copy of the executed Declaration and Power of Attorney (item g in the above list of items filed October 25, 2001), which includes the PCT international application number PCT/JP00/02763 and international filing date of April 27, 2000, is attached.

5. On March 19, 2002, Applicant contacted Examiner Anita D. Johnson at (703) 305-3661. Examiner Johnson took my name and telephone number and stated that she would check the file to confirm that the executed Declaration and Power of Attorney had been filed on the filing date October 25, 2001. She stated that she would contact me the next day.

6. On March 20, 2002, Examiner Johnson telephoned me and stated that she had checked the file for U.S.S.N. 10/009,158 and that she was confirming that the executed Declaration had been filed. She instructed us to disregard the Notification of Missing Requirements and stated that she would send us a Notice of Acceptance.

7. Due to concerns about the approaching two-month deadline, we are hereby sending the following items:

- a. A copy of the executed Declaration and Power of Attorney previously filed on October 25, 2001;
- b. A copy of the USPTO-stamped return postcard listing the above executed Declaration and Power of Attorney and stamped as U.S.S.N. 10/009,158, received at PCT/PTO on 25 Oct. 2001;

Customer No.: 21874
Attorney Docket No.: 46342/56603
U.S. Serial No.: 10/009,158
Filing Date: October 25, 2001
Group Art Unit: Not Yet Known
Examiner: Not Yet Known
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c. A copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and

d. A return postcard.

8. Applicant respectfully notes that the executed Declaration and Power of Attorney was filed timely on October 25, 2001, and that, therefore, no surcharge is due.

9. Applicant respectfully requests acknowledgment of the timely filing of the executed Declaration and Power of Attorney on October 25, 2001.

10. Applicant also hereby requests issuance of an Official Filing Receipt, including the filing date of October 25, 2001.

If the Examiner has any questions concerning this Response, he/she is requested to contact the undersigned. It is not believed that any fee is required, however, if any fee is required, the Examiner is authorized to charge the appropriate fee to Deposit Account No. **04-1105**.

05/07/2002 MALI11 00000083 041105 10009158
01 FC:154 130.00 CH

Respectfully submitted,

Date: April 30, 2002

By: Kathryn A. Piffat, Ph.D.
Kathryn A. Piffat, Ph.D.
Reg. No. 34,901
Attorney for Applicant(s)

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RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Date: October 25, 2001
Applicant: Takeda Chemical Industries, Ltd.

Attorney/Sec: KAP/jah
Client: 46342 / Docket No.: 56603

Serial No.: N/A

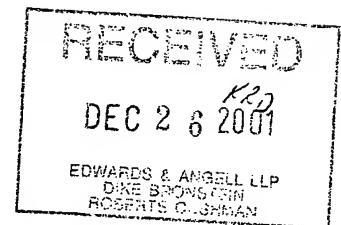
Filing Date: HEREWITH **1018** Rec'd PCT/PTO **25 OCT 2001**

Inventor(s): Masayoshi NANBA, Satoru ASAHI, Sumie YOSHITOMI, and Keiko IKEMOTO

Title: HUMAN CELL LINE SHOWING STABLE EXPRESSION OF CYTOCHROMES P450

The dating stamp of the Patent and Trademark Office will be taken as the date of mailing of:

Transmittal Letter to the United States Receiving Office (1) pg;
Transmittal Letter to the United Designated /Elected Office (2) pgs;
Copy of International Application (WO00/65031);
English Translation of Specification (52) pgs; Claims (4) pgs; Abstract (1) pg;
Figures 1-7 (7) sheets; and Chart of Enzyme Activity (1) sheet;
Form(s) PCT/RO/101, /IB/304, /IPEA/408, /IB/332, /RO/105, /IPEA/401, /IS/220, /IB/308,
/IB/301, /IPEA/402, PCT/ISA/210, /PCT/IPEA/416 and IPEA/409;
English Translation of Priority Document (47) pgs; Figures (4) sheets, Abstract (1) sheet;
Declaration and Power of Attorney (executed) (4) pages;
Assignment (executed) (3) pages; and Recordation Form PTO-1595 Cover Sheet (1) page;
Information Disclosure Statement (4) pgs. PTO-1449 (1) sheet, Prior Art (7)
Check for \$1,014.00 filing fee and Recordation, and
Certificate of Express Mail Label EL 789783606 US



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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box P.O. 1
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/009,158	FIRST NAMED APPLICANT Masayoshi Namba	ATTY. DOCKET NO. 46342/56603
		INTERNATIONAL APPLICATION NO.
		PCT/JP00/02763
		<table border="1"> <tr> <td>IA. FILING DATE 04/27/2000</td> <td>PRIORITY DATE</td> </tr> </table>
IA. FILING DATE 04/27/2000	PRIORITY DATE	

David G Conlin
 Dike Bronstein Robert & Cushman
 Intellectual Property Grp of Edwards & Angell
 PO Box 9169
 Boston, MA 02209

CONFIRMATION NO. 8650

371 FORMALITIES LETTER



OC000000007554144

Date Mailed: 03/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

File Missing Parts
 Edwards & Angell LLP
 Dike, Bronstein, Roberts & Cushman
 101 Federal St. Boston, MA 02110
 Date Rec'd 3/8/02
 Docketed For May 1 - Sep 4, 2002
 By KRD
 Approved [Signature] 3/9/02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

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MAY 14 2002

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SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 305-3661

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,158	PCT/JP00/02763	46342/56603

FORM PCT/DO/EO/905 (371 Formalities Notice)